

~~)(9) 'Fundraising counsel' means any person who, for compensation, plans, manages, advises, consults, or prepares material for, or with respect to, the solicitation in this state of contributions for a charitable organization, but who does not solicit contributions and who does not employ, procure, or engage any compensated person to solicit contributions.~~ means any person, other than a paid solicitor required to register under this chapter, who plans, advises, consults, or prepares material for a solicitation of charitable contributions within, into, or from this state and who does not either:

(A) Solicit such contributions or employ, procure, engage, direct, or supervise any compensated person to solicit such contributions; or

(B) Have custody or control of contributions.

A natural person who is a volunteer, employee, or salaried officer of a charitable organization is not a fundraising counsel with respect to the charitable organization of which he or she is a volunteer, individual, or officer. ~~A lawyer, An attorney, accountant, investment counselor, or banker who, solely incidental to his or her profession, renders professional services to a charitable organization, paid solicitor, or fundraising counsel or advises a person to make a charitable contribution or holds charitable funds subject to an escrow or trust agreement shall not be deemed, as a result of such actions, to be a fundraising counsel. A bona fide salaried officer, employee, or volunteer of a charitable organization shall not be deemed to be a fundraising counsel~~ is not a fundraising counsel as a result of such advice.